



THE CITY OF NEW YORK
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December 14, 2015

BY ECF & EMAIL

Honorable Analisa Torres
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007
Torres_NYSDChambers@nysd.uscourts.gov

Re: George Packard, et al., v. City of New York, et al.
15-cv-7130 (AT)

Your Honor:

I am an Assistant Corporation Counsel in the Office of Zachary W. Carter, Corporation Counsel of the City of New York, and the attorney representing Defendants City of New York, Joseph Esposito, Raymond Kelly, Michael Bloomberg, Thomas Purtell, Steven Anger and James McNamara in the above-referenced action. Defendants write to request an extension of time to answer or respond to plaintiffs' Complaint. This is the second request for an extension and plaintiffs' do not consent. Plaintiffs have indicated that they cannot consent because they feel they have insufficient information about the basis of defendants' anticipated motion to dismiss.

By way of background, the Complaint alleges, *inter alia*, that the nine plaintiffs, as putative class representatives, were falsely arrested during their participation in Occupy Wall Street protests between September 15, 2012 and September 17, 2012. Pursuant to this Court's individual rules, section III (B) *i*, defendants have submitted a letter to plaintiffs today detailing their position regarding an anticipated motion to dismiss under Fed. R. Civ. P 12.

Defendants anticipate that plaintiffs will respond pursuant to the Court's rule and that the parties will thereafter discuss possible resolutions of some or all claims without the need for judicial intervention. At this time defendants' response to the Complaint is due on or about December 14, 2015. In light of this pre-motion letter and the pending holiday, defendants therefore request a brief extension of time to respond to the Complaint until January 14, 2016.

Defendants thank the Court for its time and consideration.

Respectfully Submitted,

/s/

Joy Anakhu
Assistant Corporation Counsel
Special Federal Litigation Division

cc:

VIA ECF

Stecklow & Thompson

Wolf, Haldenstein, Adler Freeman & Herz, LLP

Attorney for plaintiffs